

Translation

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 4482/I/002	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/DE00/00912	International filing date (day/month/year) 24 March 2000 (24.03.00)	Priority date (day/month/year) 22 August 1999 (22.08.99)
International Patent Classification (IPC) or national classification and IPC H01K 1/02, 1/04, 1/14, 3/02		
Applicant IP2H AG		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of <u>6</u> sheets, including this cover sheet.  <input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).  These annexes consist of a total of <u>3</u> sheets.
3. This report contains indications relating to the following items:  I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input checked="" type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input checked="" type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application

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Date of submission of the demand 08 September 2000 (08.09.00)	Date of completion of this report 16 November 2001 (16.11.2001)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/DE00/00912

## I. Basis of the report

1. With regard to the **elements** of the international application:\*

- ☒ the international application as originally filed
- ☒ the description:  
pages \_\_\_\_\_ 1-12 \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☒ the claims:  
pages \_\_\_\_\_ 19-28 \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, as amended (together with any statement under Article 19  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_ 1-18 \_\_\_\_\_, filed with the letter of \_\_\_\_\_ 25 October 2001 (25.10.2001)
- ☒ the drawings:  
pages \_\_\_\_\_ 1/3-3/3 \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ the sequence listing part of the description:  
pages \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/fig \_\_\_\_\_

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\*

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

\*\* Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

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## III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

1. The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

☐ the entire international application.

☒ claims Nos. 19-28

because:

☐ the said international application, or the said claims Nos. \_\_\_\_\_  
relate to the following subject matter which does not require an international preliminary examination (*specify*):

☐ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. \_\_\_\_\_  
are so unclear that no meaningful opinion could be formed (*specify*):

☐ the claims, or said claims Nos. \_\_\_\_\_ are so inadequately supported  
by the description that no meaningful opinion could be formed.

☐ no international search report has been established for said claims Nos. \_\_\_\_\_

2. A meaningful international preliminary examination cannot be carried out due to the failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions:

☐ the written form has not been furnished or does not comply with the standard.

☐ the computer readable form has not been furnished or does not comply with the standard.

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## VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

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**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

## 1. Statement

Novelty (N)	Claims	1 - 18	YES
	Claims		NO
Inventive step (IS)	Claims	1 - 18	YES
	Claims		NO
Industrial applicability (IA)	Claims	1 - 18	YES
	Claims		NO

## 2. Citations and explanations

The document JP-A-06 013053 is regarded as the closest prior art for the subject matter of Claim 1. It describes a light source comprising a bulb, a filament located in the bulb and a heating device for the filament.

The subject matter of Claim 1 differs from that known light source in that the reflecting surface is formed by a dielectric multilayer coating, and is therefore novel (PCT Article 33(2)).

The problem to be solved by the present invention is understood to be to avoid the three-dimensional restriction of the radiation of visible light which is caused by the reflecting surface. A dielectric multilayer coating is spectrally selective and can therefore be chosen such that the thermal radiation portion is substantially reflected and the visible radiation portion is substantially transmitted. The reflecting surface can thus be disposed in any desired manner on the inner side of the bulb (even on the entire inner side). The reflecting surface described in D1, on the other hand, is not permeable to visible light. The fact that this reflecting surface is located solely on the rear half of the bulb would have

.../...

(Continuation of V.2)

led a person skilled in the art in a different direction from the claimed teaching.

Other documents cited in the international search report relate to light sources with filaments. The combination of features claimed in Claim 1 is therefore neither known from, nor suggested by, the available prior art. Consequently, the subject matter of Claim 1 involves an inventive step (PCT Article 33(3)).

Claims 2 - 18 are dependent on Claim 1 and therefore also meet the requirements of the PCT with regard to novelty and inventive step.

**VII. Certain defects in the international application**

The following defects in the form or contents of the international application have been noted:

The imprecise statement on page 12 of the description gives the impression that the subject matter for which protection is sought does not correspond to the subject matter defined in the claims. Consequently, there is a lack of clarity (PCT Article 6) when the claims are interpreted on the basis of the description (cf. PCT Guidelines, Chapter III, paragraph 4.3a).

The description is not consistent with the amended claims (PCT Rule 5.1(a)(iii)).